

Jasmond Sutton
13904 fiji way, Apt. 133
marina del rey CA 90292
In Pro Per

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

CV13-09472

Archstone Vista Del Rey, LLC,

Plaintiff,

vs.

Jasmond Sutton, Does 1 ^{and Jasmond} 10, Inclusive

Defendant

Civil Action No. _____

NOTICE OF REMOVAL
UNDER 28 U.S.C. §§ 1331, and 1441

SUPERIOR COURT OF CA
CASE # 13R09246

TO: THE HONORABLE JUDGES OF THE UNITED STATES DISTRICT COURT FOR
THE CENTRAL DISTRICT OF CALIFORNIA AND TO PLAINTIFF AND ITS
ATTORNEYS OF RECORD

Please take notice that Jasmond Sutton ("Defendant") hereby removes to this Court the above
captioned action described further below:

I. THE PROCEDURAL REQUIREMENTS FOR REMOVAL ARE SATISFIED

On October 17,, 2013, Archstone Vista Del Rey, LLC ("Plaintiff") filed an unlawful detainer action in the Superior Court of California, County of los angeles, entitled Archstone Vista Del Rey, LLC Vs. Jasmond Sutton.

1. This removal is therefore timely because it is not barred by the provisions of 28 U.S.C. 1446(b).
2. No Previous request has been made for the relief requested.
3. The superior Court of California for the County of los angeles is located with this District of California. See 28 U.S.C. 84(c)(1). Thus, venue is proper in this court because it is the "district and division embracing the place where such action is pending." 28 U.S.C. 1441(a).
4. This action is removable to the instant Court because it originally could have been filed in this court pursuant to 28 U.S.C. 1441(a) and/or (b). The complaint presents federal questions. Supplemental jurisdiction exists with respect to any remaining claims pursuant to 28 U.S.C. 1367.

II. **FEDERAL QUESTION: REMOVAL IS PROPER BECAUSE THIS COURT HAS SUBJECT MATTER JURISDICTION PURSUANT TO 28 U.S.C. 1331 AND 1441**

5. The complaint for Unlawful Detainer was filed by the plaintiff for non-payment of rent. However, Defendant with held rent due to Plaintiff discriminating against defendant by violating **Fair Housing Act** and **42 U.S.C. 3604 (f)(3)(A)** by refusing to permit, reasonable modification of the premises necessary to afford full enjoyment of the premises to Defendants roommate and co-tenant who is physically handicapped.
6. The Defendant and co-tenant has also been discriminated against due to the building **NOT** being up to code by violating
 - A. **42 U.S.C. 3604 (f)(3)(C)(ii)**- stating all doors... within such dwellings are sufficiently wide to allow passage by handicapped persons in wheelchairs;

1 B. 42 U.S.C. 3604 (f)(3)(C)(II) – stating light switches, electrical outlets, thermostats, and

2 other environmental controls in be accessible locations;

3 C. 42 U.S.C. 3604 (f)(3)(C)(III) – stating reinforcements in bathroom walls to allow later
4 installation of grab bars;

5 D. 42 U.S.C. 3604 (f)(3)(C)(IV) – stating that usable kitchens and bathrooms such that an
6 individual in a wheelchair can maneuver about the space

7 7. Federal question jurisdiction exists because Defendants pleading depend on the
8 determination of Defendants' rights and Plaintiff's duties under federal law. Wherefore,
9 Jasmond Sutton, respectfully removes this action from the California Superior Court for
10 the County of los angeles to this Court pursuant to 28 United States code Sections 1331
11 and 1441.
12

13
14 Dated: 12-26-13

By: Jasmond Sutton
Jasmond Sutton

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I reside in the county of los angeles, State of California.

I am over the age of 18 and not a party of the within action; my address is 13904 fiji way, Apt. 133, marina del rey CA 90292.

On 12-26-13, I served the **Notice of Removal Of Case to Federal Court Pursuant to 28 U.S.C. 1331 AND 1446** on behalf of Jasmond Sutton by placing a copy thereof enclosed in a sealed envelope addressed as follows:

Law Offices Of Frederick L. Spinrad
501 S. Beverly Dr. Suite 210
Beverly Hills, CA 90212

XX (BY MAIL) By placing the envelope for collection and mailing on the date shown above. I am readily familiar with the practice at the residence or business address above for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Services in a sealed envelope with postage fully prepared.

____ (BY PERSONAL SERVICE) I personally delivered by hand such envelope to the offices of the addressee.

____ (BY FAX TRANSMISSION) Based on an agreement of the parties to accept service by fax transmission, I faxed the documents to the person(s) at the fax numbers provided. The fax machine reported no error that I sued. A copy of the record of the fax transmission, which I printed out, is attached.

____ (BY OVERNIGHT DELIVERY) I enclosed the documents in an envelope or package provided by an overnight carrier and addressed to the person(s) as the addresses listed. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.

Executed on 12-26-13 at marina del rey, California

I declare under penalty of perjury under the laws for the State of California that the above is true and correct.


Yasmin Longhorn

EXHIBIT A

**SUMMONS
(CITACION JUDICIAL)****UNLAWFUL DETAINER-EVICTION****(RETENCIÓN ILÍCITA DE UN INMUEBLE-DESALOJO)****NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):****JASMOND SUTTON**

and DOES 1 through 10, inclusive

YOU ARE BEING SUED BY PLAINTIFF:**(LO ESTÁ DEMANDANDO EL DEMANDANTE):****ARCHSTONE VISTA DEL REY, LLC**FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)**FILED**Superior Court of California
County of Los Angeles**OCT 17 2013**

Sherri R. Carter, Executive Officer/Clerk

By [Signature], Deputy

You have 5 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. (To calculate the five days, count Saturday and Sunday, but do not count other court holidays. If the last day falls on a Saturday, Sunday, or a court holiday then you have the next court day to file a written response.) A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case.

Tiene 5 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. (Para calcular los cinco días, cuente los sábados y los domingos pero no los otros días feriados de la corte. Si el último día cae en sábado o domingo, o en un día en que la corte esté cerrada, tiene hasta el próximo día de corte para presentar una respuesta por escrito). Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

1. The name and address of the court is:

(El nombre y dirección de la corte es):

Los Angeles County Superior Court

West District-Santa Monica Cthse

1725 Main St., Santa Monica, CA 90401

CASE NUMBER:
(Numero del caso):

13R09245

2. The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es)

Frederick L. Spinrad (State Bar #062873) (310)551-0095

501 S. Beverly Dr., Suite 210, Beverly Hills, CA 90212

3. (Must be answered in all cases) An unlawful detainer assistant (B&P §§ 6400-6415) ☒ did not ☐ did for compensation give advice or assistance with this form. (If plaintiff has received any help or advice for pay from an unlawful detainer assistant, complete item 6 on the next page.)

DATE: OCT 17 2013 Clerk, by [Signature], Deputy
(Fecha:) (Secretario) (Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)
(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

(SEAL)



4. NOTICE TO PERSON SERVED: You are served

- a. ☐ as an individual defendant.
 b. ☐ as the person sued under the fictitious name of (specify):
 c. ☐ as an occupant
 d. ☐ on behalf of (specify):
 under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (authorized person)
☐ CCP 415.46 (occupant) ☐ other (specify):

5. ☐ by personal delivery on (date):

Page 1 of 2

SUM-130

PLAINTIFF (Name): ARCHSTONE VISTA DEL REY, LLC	CASE NUMBER:
DEFENDANT (Name): JASMOND SUTTON	

6. Unlawful detainer-assistant (complete if plaintiff has received any help or advice for pay from an unlawful detainer assistant):

- a. Assistant's name:
- b. Telephone no.:
- c. Street address, city, and ZIP:

- d. County of registration:
- e. Registration no.:
- f. Registration expires on (date):

(SPACE BELOW FOR FILING STAMP ONLY)

FREDERICK L. SPINRAD
 Attorney at Law
 501 S. Beverly Dr., Suite 210
 Beverly Hills, CA 90212
 (310) 551-0095

(State Bar #062873)
 Attorney for Plaintiff

FILED
 Superior Court of California
 County of Los Angeles

OCT 17 2013

Sherri R. Carter, Executive Officer/Clerk
 By , Deputy

SUPERIOR COURT OF CALIFORNIA

COUNTY OF LOS ANGELES

11	ARCHSTONE VISTA DEL REY, LLC)	CASE NO. -	13R09246
12)	COMPLAINT FOR UNLAWFUL DETAINER	
13	Plaintiff,)	LIMITED CIVIL CASE	
14	-vs-)	(DEMAND OF THE COMPLAINT	
15)	IS LESS THAN \$10,000.00)	
16	JASMOND SUTTON)		
17	and DOES 1 through 10, inclusive,)		
	Defendants.))		

PLAINTIFF COMPLAINS OF THE DEFENDANTS, AND EACH OF THEM, AND
 FOR CAUSE OF ACTION ALLEGES THAT:

1. The real property, possession of which is the subject of
 this action, is situated in the judicial district of the County
 of Los Angeles set forth on line eight above.

2. The true names and capacities, whether individual, cor-
 porate, associate or otherwise, of the defendants Does 1 through
 10, and each of them, are unknown to plaintiff who, therefore,
 sues said defendants by such fictitious names, according to his
 information and belief, and will ask leave of Court to amend this
 Complaint to show their true names and capacities when same have

CIT/CASE: 13R09246
LEA/DEF#:

RECEIPT #: SM405596013

DATE PAID: 10/17/13 10:41 AM

PAYMENT: \$240.00

RECEIVED:

310

CHECK:

\$240.00

CASH:

\$0.00

CHANGE:

\$0.00

CARD:

\$0.00

1 become ascertained.

2 3. The real property, possession of which is sought in this
3 action is situated in the City of Marina Del Rey County of
4 Los Angeles, State of California, commonly described as follows:

5 13904 Fiji Way, Apt. 133

6 Marina Del Rey, CA 90292

7 4. Plaintiff is the lessor of said hereinabove-described
8 premises, and is entitled to immediate possession of said premises.

9 5. Plaintiff is a limited liability company, duly organized
10 and existing under the laws of the State of California, with it's
11 principal place of business being in the County of Los Angeles.

12 6. On or about 8/26/13 Plaintiff leased to
13 Defendants, and each of them, the premises described in paragraph 3
14 above, under a written agreement for a month-to-month tenancy at a
15 current monthly rental of \$ 4925.00 , payable in advance on
16 the first day of each month. Said agreement provides, in part,
17 for reasonable attorney's fees.

18 7. By virtue of said agreement the Defendants, and each of
19 them, went into possession of, and continue to occupy, said premises.

20 8. Pursuant to the terms of said agreement, there became rent
21 due, owing and unpaid for said premises in the sum of \$ 5018.00
22 balance of the
being the/rent that became due on 9/1/13 10/1/13
23 for the period of 9/1/13 through 10/31/13
24 the amount of which remains wholly unpaid.

25 9. The premises and tenancy the subject of this action are not
26 subject to the rent control ordinance of any governmental entity
27 and non-payment of rent is the basis and reason of this action.

1 10. A notice demanding the past due rent as set forth in
2 paragraph 8 above is attached hereto, marked Exhibit A and made a part
3 hereof. Said notice was served by posting a copy on the premises on
4 10/7/13 and by mailing a copy to the defendant(s) at the premises on
5 10/7/13, there being no person of suitable age or discretion to be
6 found at any known place of residence or business of said
7 defendant(s). The notice included an election of forfeiture.

8 11. More than three (3) days have elapsed since the service of
9 said notice and Defendants, and each of them, have failed to pay
10 said rent or deliver up possession of said premises. Plaintiff is
11 entitled to immediate possession thereof.

12 12. Defendants, and each of them, continue in possession of
13 said premises without Plaintiff's consent or permission.

14 13. The reasonable rental value of said premises is the
15 sum of \$ 164.16 per day, and damages to Plaintiff caused by
16 defendants' unlawful detention thereof have accrued at said rate as
17 allowed by law and will continue to accrue at said rate so long as
18 defendants remain in unlawful detention & possession of said premises.

19 14. Plaintiff has duly performed all of the conditions of said
20 agreement and tenancy, including all conditions precedent on his
21 part to be performed.

22 WHEREFORE, Plaintiff prays judgment against the Defendants,
23 remitting all sums in excess of the jurisdiction of this Court,
24 as follows:

- 25 1. Restitution of said premises;
- 26 2. Forfeiture of the rental agreement;
- 27 3. Rent for said premises now due and unpaid for the period

28 \\\


1 set forth in paragraph 8 hereof in the sum of \$ 5018.00

2 4. Damages at the rate of \$ 164.16 per day as allowed by
3 law for each day Defendants continue in unlawful detention
4 of said premises until the date of judgment;

5 5. For costs herein, and reasonable attorney's fees;

6 6. For such other and further relief as this Honorable Court
7 deems just and proper.

8
9 DATED: 10/14/13

10 
11 _____
12 FREDERICK L. SPINRAD
13 Attorney for Plaintiff

14 ORIGINAL COMPLAINT VERIFIED
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UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

I. (a) PLAINTIFFS (Check box if you are representing yourself ☐)
Archstone Vista Del Rey, LLC

DEFENDANTS (Check box if you are representing yourself ☒)
Jasmond Sutton

(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same information.)

Frederick L. Spinrad
501 S. Beverly Dr. Suite 210
Beverly Hills, CA 90212 310.551.0095

(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same information.)

II. BASIS OF JURISDICTION (Place an X in one box only.)

- ☐ 1. U.S. Government Plaintiff
☐ 2. U.S. Government Defendant
☒ 3. Federal Question (U.S. Government Not a Party)
☐ 4. Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES-For Diversity Cases Only
(Place an X in one box for plaintiff and one for defendant)

- | | | | | | |
|---|----------------------------|---------------------------------------|---|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 1 | Incorporated or Principal Place of Business in this State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. ORIGIN (Place an X in one box only.)

- ☐ 1. Original Proceeding
☒ 2. Removed from State Court
☐ 3. Remanded from Appellate Court
☐ 4. Reinstated or Reopened
☐ 5. Transferred from Another District (Specify)
☐ 6. Multi-District Litigation

V. REQUESTED IN COMPLAINT: JURY DEMAND: ☒ Yes ☐ No (Check "Yes" only if demanded in complaint.)

CLASS ACTION under F.R.Cv.P. 23: ☐ Yes ☒ No **MONEY DEMANDED IN COMPLAINT:** \$ UNLIMITED

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

28 USC SECTION 1331 AND 1446

VII

OTHER STATUTES	CONTRACT	REAL PROPERTY CONT	IMMIGRATION	PRISONER PETITIONS	PROPERTY RIGHTS
<input type="checkbox"/> 375 False Claims Act	<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 462 Naturalization Application	Habeas Corpus:	<input type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 830 Patent
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 290 All Other Real Property	TORTS	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 140 Negotiable Instrument	PERSONAL PROPERTY	PERSONAL PROPERTY	<input type="checkbox"/> 530 General	SOCIAL SECURITY
<input type="checkbox"/> 450 Commerce/ICC Rates/Etc.	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 310 Airplane	<input checked="" type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 371 Truth in Lending	Other:	<input type="checkbox"/> 862 Black Lung (923)
<input type="checkbox"/> 470 Racketeer Influenced & Corrupt Org.	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Vet.)	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 540 Mandamus/Other	<input type="checkbox"/> 863 DIWC/DIWW (405 (g))
<input type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 153 Recovery of Overpayment of Vet. Benefits	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 340 Marine	BANKRUPTCY	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 865 RSI (405 (g))
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 560 Civil Detainee Conditions of Confinement	FEDERAL TAX SUITS
<input type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 423 Withdrawal 28 USC 157	FORFEITURE/PENALTY	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 891 Agricultural Acts	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 355 Motor Vehicle Product Liability	CIVIL RIGHTS	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
<input type="checkbox"/> 893 Environmental Matters	REAL PROPERTY	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 690 Other	
<input type="checkbox"/> 895 Freedom of Info. Act	<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 441 Voting	LABOR	
<input type="checkbox"/> 896 Arbitration	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 710 Fair Labor Standards Act	
<input type="checkbox"/> 899 Admin. Procedures Act/Review of Appeal of Agency Decision	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 720 Labor/Mgmt. Relations	
<input type="checkbox"/> 950 Constitutionality of State Statutes		<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 445 American with Disabilities-Employment	<input type="checkbox"/> 740 Railway Labor Act	
			<input type="checkbox"/> 446 American with Disabilities-Other	<input type="checkbox"/> 751 Family and Medical Leave Act	
			<input type="checkbox"/> 448 Education	<input type="checkbox"/> 790 Other Labor Litigation	
				<input type="checkbox"/> 791 Employee Ret. Inc. Security Act	

FOR OFFICE USE ONLY: Case Number:

CV13-09472

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA

CIVIL COVER SHEET

VIII. VENUE: Your answers to the questions below will determine the division of the Court to which this case will most likely be initially assigned. This initial assignment is subject to change, in accordance with the Court's General Orders, upon review by the Court of your Complaint or Notice of Removal.

Question A: Was this case removed from state court? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If "no," go to Question B. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	STATE CASE WAS PENDING IN THE COUNTY OF:		INITIAL DIVISION IN CACD IS:
	<input checked="" type="checkbox"/> Los Angeles		Western
	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo		Western
	<input type="checkbox"/> Orange		Southern
	<input type="checkbox"/> Riverside or San Bernardino		Eastern

Question B: Is the United States, or one of its agencies or employees, a party to this action? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "no," go to Question C. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	If the United States, or one of its agencies or employees, is a party, is it:		INITIAL DIVISION IN CACD IS:	
	A PLAINTIFF?	A DEFENDANT?		
	Then check the box below for the county in which the majority of DEFENDANTS reside.	Then check the box below for the county in which the majority of PLAINTIFFS reside.		
	<input type="checkbox"/> Los Angeles	<input type="checkbox"/> Los Angeles		Western
	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo		Western
	<input type="checkbox"/> Orange	<input type="checkbox"/> Orange		Southern
	<input type="checkbox"/> Riverside or San Bernardino	<input type="checkbox"/> Riverside or San Bernardino		Eastern
<input type="checkbox"/> Other	<input type="checkbox"/> Other	Western		

Question C: Location of plaintiffs, defendants, and claims?	A. Los Angeles County	B. Ventura, Santa Barbara, or San Luis Obispo Counties	C. Orange County	D. Riverside or San Bernardino Counties	E. Outside the Central District of California	F. Other
Indicate the location in which a majority of plaintiffs reside:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Indicate the location in which a majority of defendants reside:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indicate the location in which a majority of claims arose:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

C.1. Is either of the following true? If so, check the one that applies: <input type="checkbox"/> 2 or more answers in Column C <input type="checkbox"/> only 1 answer in Column C and no answers in Column D Your case will initially be assigned to the SOUTHERN DIVISION. Enter "Southern" in response to Question D, below. If none applies, answer question C2 to the right. →	C.2. Is either of the following true? If so, check the one that applies: <input type="checkbox"/> 2 or more answers in Column D <input type="checkbox"/> only 1 answer in Column D and no answers in Column C Your case will initially be assigned to the EASTERN DIVISION. Enter "Eastern" in response to Question D, below. If none applies, go to the box below. ↓
Your case will initially be assigned to the WESTERN DIVISION. Enter "Western" in response to Question D below.	

Question D: Initial Division? Enter the initial division determined by Question A, B, or C above: →	INITIAL DIVISION IN CACD <i>Western</i>
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UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA

CIVIL COVER SHEET

IX(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed?

☒ NO☐ YES

If yes, list case number(s): _____

IX(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case?

☒ NO☐ YES

If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

(Check all boxes that apply)

- ☐ A. Arise from the same or closely related transactions, happenings, or events; or
- ☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
- ☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
- ☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

X. SIGNATURE OF ATTORNEY

(OR SELF-REPRESENTED LITIGANT):



DATE: 12-26-13

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet).

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405 (g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))